

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
 2 United States Attorney
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FILED

KOB MAR 21 A 9:52

4 RICHARD W. WIEKING
 5 CLERK
 U.S. DISTRICT COURT
 NO. DIST OF CA. S.J.

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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

11

12 UNITED STATES OF AMERICA,) No. CR 08 00167 - *Rmuf*
 13 Plaintiff,)
 14 v.) VIOLATION: 8 U.S.C. § 1326 –
 15 FIDEL BUSTOS-LOPEZ, a/k/a. Jose Valencia,) Illegal Re-Entry Following Deportation
 16 Defendant.) SAN JOSE VENUE
 17)
 18

AMENDED INFORMATION

19 The United States charges:

20 On or about August 2, 2007, the defendant,

21 *FIDEL BUSTOS-LOPEZ,
 22 a/k/a Jose Valencia,*

23 an alien, previously having been arrested and deported from the United States on or about
 24 May 21, 1999, August 15, 2001, December 30, 2002, June 1, 2004, June 23, 2005 and January 9,
 25 2007, was found in the Northern District of California, the Attorney General of the United States
 26 and the Secretary for Homeland Security not having expressly consented to a re-application by
 27 the defendant for admission into the United States, in violation

28 //

Vaz

1 of Title 8, United States Code, Section 1326.

2 DATED: 3/20/08

JOSEPH P. RUSSONIELLO
United States Attorney

DAVID R. CALLAWAY
Deputy Chief, San Jose Office

(Approved as to form:

AUDREY MACHENK

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

Title 8, U.S.C. § 1326 - Illegal
Re-Entry Following Deportation

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

20 years imprisonment
\$250,000 fine
3 years supervised release
\$100 special assessment fee

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

ICE

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocsecution of charges previously dismissed
 which were dismissed on motion of:

U.S. Att'y Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person

Furnishing Information
THIS FORM JOSEPH P. RUSSONIELLO

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y
(if assigned)

JEFFREY B. SCHENK

FILED

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

MAR 21 A 9:52
DEFENDANT - U.S.

RICHARD W. WICKING
FIDEL BUSTOS LOPEZ a/k/a Jose Valencia
U.S. DISTRICT COURT
NO. DISTRICT COURT NUMBER

DEFENDANT**IS NOT IN CUSTODY**

- 1) Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction
- 6) Awaiting trial on other charges } Fed'l State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No If "Yes" give date filed _____

DATE OF ARREST Month/Day/Year

Or... If Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

PROCESS:

SUMMONS NO PROCESS*

If Summons, complete following:

Arraignment Initial Appearance
Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____